



A.S.B.C.E

THE OFFICIAL NEWSLETTER OF THE ALABAMA
STATE BOARD OF CHIROPRACTIC EXAMINERS

126 Chilton Place, Clanton, Alabama, 35045
Phone number 1-800-949-5838 or 1-205-755-8000
Fax 1-205-755-0081

Newsletter January 2011
Volume 11, Issue 1

INSIDE THIS ISSUE :

Adopted Rules	6-7
Board Performance Report	5
Election Update	7
Meeting Dates	9
New Licensees	8
Non Renew List	7
Online Seminars	2-3
Presidential Message	1&3
Reinstatement Process	5
Upcoming Seminars	4

Presidential Message

Dear colleagues and clinic owners:

The Board elections were recently held for Districts 5 and 6 as well as the state at large African American seat. I would like to congratulate both Dr. Collins and Dr. Heaton on being re-elected to their seats. The state at large African American seat required a runoff and the results are not available as I write this message. (Note: James O. Gordon is new African American member.) The Board office received several phone calls regarding ballots for the election from doctors who thought they should have received ballots for the election. You eligibility to vote is determined by the district you reside in, not the district you practice in. All the doctors that are eligible to

vote may vote in the African American state at large seat.

The number of complaints for the past year remain down but recent complaints regarding records release and transfer of records need mention. Please review rule 190-X-5-.09 Chiropractic Records Required; Release of Records.

This section covers all aspects of records release as well as reasonable fees for production of records. The patient has a right to access their records but the doctor also has rights that are covered in the section. The board has recently received a complaint dealing with transfer of records when a licensee retires, terminates employment or otherwise leaves a practice. The

NON RENEW LIST

Please see page 7 for a list of licensees who have not completed the renewal process.

If you continue to practice after January 1 you will be practicing without a license and in violation of the Alabama Chiropractic Practice Act and the Chiropractic Rules and Regulations.

Online Seminars

Data Trace Publishing Company offers the following ONLINE course until February 2011. For information contact Carolyn J. Harding at 1-410-494-4994.

1. "D.C. Tracts 2010 (Volume 22)"

DCHours.com offers the following ON-LINE courses until September 2011. For information contact Guy Annunziata at 1-800-511-0269.

1. "Alabama Board Rules & Regulations"
2. "Basic Care Management"
3. "Conditions of the Disc Part 1"
4. "Conditions of the Disc Part 2"
5. "Conditions of the Disc Part 3"
6. "Functional Based Care Part 1"
7. "Functional Based Care Part 2"

DC Online offers the following ONLINE courses until December 2011. For information contact William Moreau, D.C. at 1-712-260-2507.

1. "Bloodborne Pathogens"
2. "Case Studies Cervical Spine 1"
3. "Chiropractic & Soft Tissue Care"
4. "Ethical Issues in Chiropractic Practice"
5. "Immunization: Making Informed Choices"
6. "Patient Care in Radiology"
7. "Physical Assessment & Management of the Knee"
8. "Professional Boundaries & Chiropractic"
9. "Risk Management"
10. "Special Populations: The Female Patient"
11. "Special Populations in Chiropractic: The Osteoporotic Patient"
12. "Segmental Drop Adjusting"
13. "Spine in Sport"

New York Chiropractic College offers the following ONLINE course until March 2011. For information contact Cynthia Logatto at 1-516-796-5923 ext. 113.

1. "The Clinical Posture Practice"

Northwestern Health Sciences University offers the following ONLINE courses until December 2011. For information contact Jacklyn Sanford at 1-952-885-5446.

1. "48-Hour Nutritional Certificate program Sessions 1-4"
2. "Adrenal Fatigue: The 21st Century Stress Syndrome"
3. "Auricular Acupuncture: Treating Pain, Addictions & Stress Through the Ear"
4. "Avascular Necrosis & Related Disorders"
5. "Cancer Support & Prevention"
6. "Charrette Extremity Adjusting"
7. "Chiropractic Management of Low Back Disorders"
8. "Clinical Impact of Degenerative Joint Disease: The Clinical Posture Practice"

9. "Conversations on Culture: African American"
10. "Conversations on Culture: Chicano/Latino"
11. "Conversations on Culture: Somalia"
12. "Crossing Boundaries: Exploring Both Sides of Inappropriate Sexual Behavior"
13. "Enzymes-The Key that Unlocks Vibrant Health"
14. "Foundations of Evidence Informed Practice #1"
15. "Hypertension? Check for Atlas Subluxation"
16. "Imaging Spondylolisthesis & the Sacroiliac Joint"
17. "Imaging Torticollis & Compression Fractures"
18. "Medical/Legal Aspects of Sports Chiropractic"
19. "Natural Alternatives in the Care of Asthma and Allergies"
20. "Neglected, Misunderstood or Forgotten Concepts Chiro Adjustive: Thoracolumbar Low Back Pain"
21. "Mitochondrial Function & Membrane Fluidity in Health & Disease"
22. "Multiple Sclerosis: Clinical Overview, Diagnosis & Management"
23. "New Concepts in Asthma & Allergy Care"
24. "Professional Boundaries- Cultural Awareness"
25. "Professional Boundaries- Cultural Communications"
26. "Professional Boundaries for the Doctor of Chiropractic"
27. "Science & Strategies for Injury Prevention in Aging Patients"
28. "Shades of Gray: 7 Unknowns"
29. "Shades of Gray: 7 Unknowns II"
30. "Sports Radiology"
31. "The Athletic Shoulder"
32. "The Fundamental Neurological Examination & Six Practice Cases"
33. "The Neurological Examination: Going Beyond the Fundamentals"
34. "The Neurological Manifestations of Gluten Sensitivity & Celiac Disease"
35. "Treating Sciatica & Low Back pain with Acupuncture"
36. "Treating Plantar Fascitis with Acupuncture-Integrated Western & Eastern"
37. "Trigeminal Neuralgia & Other Cranial Nerve V Clinical Syndromes"
38. "Understanding Sports Related Head Injuries"
39. "Using Acupuncture to Treat the Immune System"

Palmer College of Chiropractic offers the following ONLINE courses until December 2011. For information contact Sharon Whitney at 1-563-884-5715.

1. "Activator Methods Online Basic"
2. "Basic Concepts of Biomechanics"
3. "Chiropractic Evaluation"
4. "Clinical Imaging (6)"
5. "Clinical Imaging (12)"

6. "Documentation"
7. "Electrodiagnostics Overview"
8. "Evidence-Informed Practice/Case Writing"
9. "Healthy Aging"
10. "Laboratory Analysis"
11. "Neurological Assessment & Interpretation"
12. "Online Documentation (3)"
13. "Orthopedic Assessment & Interpretation"
14. "Pettibon Clinical Protocols & Homecare"
15. "Pettibon Fundamentals"
16. "Pettibon Online-X-Ray Procedures"
17. "Physiological Therapeutics"
18. "Professional Boundaries/Ethics"
19. "Risk Management"
20. "Technique Overview/Theories"

Parker College of Chiropractic offers the following ONLINE courses: For information contact Tereasa Wright at 1-800-266-4723.

1. "Anatomy Online Module 2 Forearm & Hand 44 Plates"
2. "Boundaries with Patients: Confidentiality & Sexual Misconduct"

Texas Chiropractic College offers the following ONLINE courses until December 2011. For information contact Bitsy Hatch, at 1-281-998-6028.

1. "Adjunctive Physiotherapy Procedures"
2. "Ancillary Diagnostic Testing & Procedures"
3. "Chiropractic Guide to Symptoms & Disease"
4. "Chiropractic Sports Medicine"
5. "Chiropractic Treatment and Golf Injuries"
6. "Chiropractic Treatment Auto Accident Injuries"

7. "Ethics & Chiropractic Practice"
8. "Exercise Strength and Conditioning"
9. "Fundamentals of Clinical Nutrition"
10. "Geriatric Health Care"
11. "Orthopedic & Neurological Education"
12. "Pain Management"
13. "Professional Boundaries & Chiropractic Practice"
1. "Risk Management and Documentation Essentials"
1. "Sports Injuries"
2. "Weight Loss Management: Fitness & Nutrition"

University of Bridgeport College of Chiropractic offers the following ONLINE courses until February 2011: For information contact Paul Powers at 1-860-463-9003.

1. "Chiropractic & Pregnancy"
2. "Neurology"
3. "Physical Diagnosis"
4. "Physical Therapy"
5. "Research Reviews"
6. "Soft Tissue Injuries"

Western States Chiropractic College offers the following ONLINE courses until December 2011: For information contact Marsha Peoples Jack at 1-503-251-5719.

1. "Clinical Practice Update Series"
2. "Ethics & Boundary Issues for Chiropractors"

Presidential Message continued

same section covers the rules regarding transfer or disposal of records. The patients should be notified if the doctor leaves or retires from practice to allow for the transfer of patient records to a new clinic or doctor.

The end of the year is a hectic time at the Board office in dealing with license renewal issues. As of December 1, 2010 we still had approximately 40 non renewed licensees who faced a lapse in their license on January 1, 2011. The staff at the Board office work diligently to help but the ultimate burden remains with the doctor to complete the renewal process on time. I hope all 40 get the process completed without a lapse. The reinstatement process can be difficult and could leave the doctor unlicensed for several weeks and maybe more than a month to get completed.

I would like to close in wishing you all a Happy and Prosperous New Year.

Brian Wells, D.C.
President

Upcoming Seminars

Florida Chiropractic Association presents the following course: For information contact Jennifer Haag at 407-654-3225.

"FCA Panhandle Convention & Exposition 2011" 63 hours January 20-23, 2011 in Sandestin, FL.

Life Chiropractic College presents the following courses: For information contact Kendra L. Holloway, D.C. at 510-780-4508.

"Taking Chiropractic to a New Dimension—The Y-File" 12 hours January 15-16 in Daytona Beach, FL.

"Validating Chiropractic 2011" 12 hours January 15-16, 2011 in Daytona Beach, FL, February 19-20 in Westford, MA, February 26-27 in Seattle, WA, March 12-13 in East Brunswick, NJ, and March 26-27 in Las Vegas, NV.

"Contact Reflex Analysis" 12 hours January 29-30 in West Palm Beach, FL, February 5-6 in Raleigh, NC, February 19-20 in Philadelphia, PA, February 26-27 in Minneapolis, MN, March 5-6 in Los Angeles, CA, and March 19-20 in Detroit, MI.

Logan College of Chiropractic presents the following course: For information contact Ralph Barrale, DC at 800-842-3234.

"Extreme Exam Makeover" 12 hours February 6-7 in Chesterfield, MO.

"5th Annual Professional Football Chiropractic Educational Seminar" 12 hours February 26-27 in Indianapolis, IN.

National University of Health Sciences presents the following course: For information contact Jonathan R. Soltys, D.C. at 630-889-6622.

"Applying Functional Medicine in Clinical Practice" 37.5 hours February 21-25 in Tampa, FL.

"Cox Technic Seminar Part III" 12 hours February 19-20 in Maui, HI.

"Cox Technic Spine Pain Management System, Part I" 12 hours January 22-23 in Los Angeles, CA and March 26-27 in Orlando, FL.

"Pharmacognosy (Western Herbal Medicine)" 12.5 hours January 8-9 in Albuquerque, NM.

New York Chiropractic College presents the following courses: For information contact Cynthia Logatto at 516-796-5923.

"Spidertech: Basic Theory and Application" 8 hours January 22 in Austin, TX.

"Active Release Technique—Lower Extremity" 24 hours January 6-9 in Jersey City, NJ.

"Active Release Technique—Upper Extremity" 24 hours January 20-23 in Kansas City, MO and March 31-April 4 in Las Vegas, NV.

Northwestern Health Sciences University presents the following courses: For information contact Jacklyn Sanford at 952-885-5446.

"2011 Homecoming & Winter Gathering" 25 hours February 3-5 in Bloomington, MN.

Palmer College of Chiropractic presents the following courses: For information contact Laurie Mueller at 563-884-5715.

"Palmer College Homecoming FL 2011" 18 hours February 25-26 in Port Orange, FL.

"CCSP: Correlative Studies" 12 hours February 12-13 in Port Orange, FL.

"Activator Spring 2011: Advanced" 12 hours January 27-29 in Honolulu, HI, January 29-30 in Houston, TX, February 5-6 in Orlando, February 26-27 in Kansas City, KS, March 5-6 in Orange County CA, and March 12-13 in Columbus, OH and Boston, MA.

"Activator Methods : Intermediate B" 12 hours January 27-29 in Honolulu, HI, January 29-30 in Houston, TX, February 5-6 in Orlando, February 26-27 in Kansas City, KS, March 5-6 in Orange County CA, and March 12-13 in Columbus, OH.

"CCSP: Taping and Bracing" 12 hours January 15-16 in Port Orange, FL.

Parker College of Chiropractic presents the following courses: For information contact Teresa Wright at 800-266-4723

"Parker Seminars—Las Vegas" 20 hours January 13-15 in Las Vegas, NV.

Sherman College of Chiropractic presents the following courses: For information contact Missy Sandor at 864-578-8770.

"Intermediate—Advanced Care Intensive" 23 hours January 13-15 in Denver, CO.

Texas Chiropractic College presents the following courses: For information contact Bitsy Hatch at 281-998-6028.

"Nutrition Response Testing" 13 hours January 8-9 in Dania Beach, FL.

"Nutrition for the Wellness Practice " 12 hours January 29-30 in Kennesaw, GA.

"Lumbar Differential Assessment" 12 hours January 22-23 in Louisville, KY.

Turning Point Logistic Systems presents the following course: For information contact Angel Tribuno, DC at 706-882-2092.

"CBP Drop Table Adjusting" 9 hours March 26-27 in Orlando, FL.

"Total Solution" 36.5 hours February 23-27 in Florissant, CO

"California Jam" 20 hours February 18-20 in Costa Mesa, CA.

It has been brought to our attention that someone from National Provider Compliance Company has been contacting licensees saying they are Alabama approved for continuing education. They have not been approved for credit for your license renewal requirements. Please request an Alabama six (6) digit approval code before taking any seminar.

Reinstatement Process for Lapsed License

If you have not yet renewed your license it is now in a forfeit status and you must apply for reinstatement before you can practice. Your office must be closed until reinstatement is complete. You must first complete an application for reinstatement online. You will then be sent a letter outlining documents and fees required to be submitted to the Board Office. After *all* required documents and all fees are submitted your request will be placed on the next Board agenda and your reinstatement will be discussed and voted on at the meeting. Again, you may not practice until after approved and you receive your renewal card in the mail. If you practice during this time you will be practicing without a license and in violation of the Board Rules and Regulations.

THANK YOU FOR YOUR POSITIVE COMMENTS

“Deadline was end of September? You would think everyone did it already...so sorry you folks are still dealing with it...”

“Thank you for your kind assistance in my rush to get it all done in the last few days. You guys are great and a pleasure to work with.”

“...THANK YOU once again for ALL your help in regards to me getting my license back. I could not have done it without your help. Your fantastic attitude and “can do” approach really helped me. ...THANK YOU for being so kind, helpful, and professional. I appreciate all you guys.”

FYI- We have been contacted regarding random audits on vitamins and supplements being taxed. The following is the law which exempts you from this tax. This exemption only includes vitamins, minerals and supplements it does not include items such as Biofreeze, orthotics, pillows, etc.

Section 40-9-27

Prescriptions for vitamins and supplements exempt from sales taxes.

(a) Any vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed and prescribed by any physician licensed to practice medicine, chiropractor, orthodontist, and podiatrist in the performance of his professional services shall be exempt from any city, county and state sales tax. This exemption shall apply only to vitamins, minerals, and dietary supplements dispensed by prescription by the professionals listed in this subsection.

(b) The exemption provided for in subsection (a) shall be in addition to any and all exemptions from sales tax provided for in Article 1 of Chapter 23 of Title 40, Revenue and Taxation, as last amended. (Acts 1985, p. 960, No. 85-630.)

BOARD QUARTERLY PERFORMANCE REPORT

Applications Sent	9
Transcripts Processed	47
New License Issued	5
License Verifications	150
Complaints Received	6
Disciplinary Hearings	2
Outgoing Correspondence	3937

This following rules were adopted and became effective November 23, 2010.

Please place a copy in your Office Master Copy of the Rules and Regulations to avoid future violations of this rule.

RULE 190-X-2-.15 Licensure by Reciprocity

(1) The Board may license an applicant if the applicant is licensed in another state which under like condition grants reciprocal licensure without examination to chiropractors duly licensed by examination in this state, and that in the opinion of the board, has standards of practice or licensure equal to or stricter than the requirements imposed by this state subject to the following conditions:

(a) The applicant for licensure by reciprocity must possess a license in good standing in all states in which the applicant is licensed. At the time of the application, the applicant must have practiced chiropractic for at least five (5) years and for the preceding three (3) years the applicant must have been actively licensed and practicing chiropractic in the reciprocating state.

(b) The applicant must not be the subject of any pending complaint or investigation in any state or jurisdiction in which the applicant holds or has held a license. The applicant must provide all information, including any information or documentation requested by the Board, in connection with any pending complaint or investigation for the Board's review. The pendency of any complaint or investigation may be considered by the Board as a reason for denying licensure by reciprocity.

(c) The applicant must not have been disciplined in any state in which he or she holds or has held a license resulting from conduct which would constitute a violation of any of the grounds set forth in Code of Alabama, (1975) Section 34-24-166.

(d) The applicant shall not have been convicted of a felony or misdemeanor involving moral turpitude. A plea of nolo contendere shall be considered a conviction.

(e) The applicant must be current with continuing education requirements of the other state.

(f) The applicant must not have been found guilty of any actions in any state which could have resulted in discipline pursuant to Code of Alabama § 34-24-166.

(2) The applicant must complete all forms required by the Board including but not limited to an application for licensure by reciprocity. In addition, as part of the application process, and in order for the application to be considered complete, it shall be the responsibility of the applicant to submit the following:

(a) All applicable fees.

(b) Certification from the Board in each state where the applicant is currently licensed or previously held a license that the applicant's license is currently in good standing or was during the time the applicant possessed such a license. This certification from the Board(s) shall also include a statement that the applicant is in compliance with the provisions of paragraph

(1) (a)-(c) above.

(c) Any and all available information pertaining to the examination taken by the applicant which resulted in licensure in the other state(s).

(d) A certified transcript of applicant's chiropractic college grades sent directly from the school.

(e) A certified transcript of any National Board examinations sent directly from NBCE.

(f) An affidavit attesting to the applicant's compliance with all the provisions of this rule.

(3) In addition to the requirements listed above, the Board may, as a requirement of the applica-

tion process, require the applicant to appear for a personal interview.

(4) The Board may consider as part of the application process whether the applicant has ever failed a licensure examination and the applicant shall be required to submit any documentation requested by the Board in connection with such failure.

(5) The Board may consider as part of the application process whether the applicant has ever been denied licensure in any state, regardless of the type of licensure. Upon request of the Board, the applicant shall submit any documentation in connection with such denial.

(6) Any applicant for licensure by reciprocity as a condition to the granting of such license must successfully pass an Alabama jurisprudence examination.

Effective: 10/1/03, amended 6/06, amended 7/10

Authority: 34-24-161; 34-24-140; 34-24-160

Election Results

Congratulations to Dr. Larry Heaton on his re-election
to the District 5 Board seat.

Congratulations to Dr. Gerald Collins on his re-election
to the District 6 Board seat.

Congratulations to Dr. James Gordon on his election
to the African American Board seat.

Non-Renewed Licensees

William A. Chandler	Sumiton, AL
Mark D. Clay	Columbus, GA
Jean H. Fontaine	Wayne, PA
J. Franklin Free	Helena, AL
Stephen M. Gagliano	O'Fallon, MO
David A. Pearce	Raleigh, NC
Emily J. Stinnett	Gulf Shores, AL

If you know any of these doctors please have them contact the Board office as soon as possible for information on how to reinstate their license.

As of December 1st there were 54 doctors who had not completed the renewal process. That is almost 10% of our total licensees and permit holders.

Disciplinary Actions

Christopher Stewart, DC (Northport, AL) License #1590 Consent Order dated November 9, 2010 assessing fines of \$5,000.00, reimbursement of \$800 and costs of \$300- guilty of violating one (1) count of §34-24-166(b)(3), guilty of one (1) count of violating §34-24-166(b)(10), guilty of one (1) count of violating §34-24-166(b)(11) and guilty of three (3) counts of violating §34-24-166(b)(14). Dr. Stewart must also obtain an additional twenty (20) hours within 1 year in Documentation. Dr. Stewart's license to practice chiropractic is suspended for four (4) years with reversion to probation after one (1) year of active suspension.

Mark Fielding, DC (Pell City, AL) License #1577 Consent Order dated November 22, 2010 assessing fines of \$3,500.00 and costs of \$1,500- guilty of violating one (1) count of §34-24-166(b)(2), guilty of violating one (1) count of §34-24-166(b)(3), guilty of violating one (1) count of §34-24-166(b)(11) and guilty of violating one (1) count of §34-24-166(b)(14). Dr. Fielding was ordered to be evaluated at an approved treatment facility in coordination with the Board's Wellness Committee.

Congratulations to those licensed since October 2010



SCOTT ALBANO
BAILEY R. CARROLL
MARTINA CASTRO
RYAN DAVIS
AMANDA GOTTSCHALK
ROBERT F. JOHNS , JR.
JUSTIN LANCE
LORI ANN MCMILLIAN
RICHARD J. PALMA
RODERICK CLAYTON WHITE

OF BIRMINGHAM, AL
OF BIRMINGHAM, AL
OF CHESTERFIELD, MO
OF LOWNE/BORO, AL
OF PENSACOLA, FL
OF BIRMINGHAM, AL
OF MCKENZIE, AL
OF MONTGOMERY, AL
OF LEEDS, AL
OF BIRMINGHAM, AL

Condolences

Dr. Kenny Eldred. Dr. Eldred graduated Bebout Chiropractic College in 1957 and received his Alabama license September 26, 1960. Dr. Eldred lived and practiced in Athens.

The Board and staff send condolences to the family and friends of Dr. Eldred.



DATES TO CALENDAR

The Board will meet in:
Clanton, AL
January 14, 2011

OUR MISSION

To regulate and license doctors of chiropractic in order to protect the people of Alabama.

OUR VISION

To ensure the people of Alabama will receive professional, ethical and quality care in utilizing chiropractic services to maximize health benefits.

OUR VALUES

Excellence, integrity, communication and ethics.

2011 State Holidays

The board office will be closed on the following:

We're on the Web!
www.chiro.alabama.gov

Robert E. Lee
Martin Luther King Jr. January 17

George Washington
Thomas Jefferson's B'day February 21

Board Members

R. Brian Wells, DC, President, Member District 3
Jerry L. Schreiner, DC, Vice – President, Member District 7
Kenneth J. Randolph, DC, Secretary / Treasurer, Member District 4
Gerald J. Collins, DC, Member District 6 / Preceptor Director
Jerry S. Kirby, DC, Member District 2
Gilles X. Beaumont, DC, Member District 1
Larry H. Heaton, DC, Member District 5
James O. Gordon, DC, Minority Member
Allen Sanderson, Consumer Member

James S. Ward, Esquire, Board Attorney

ASBCE

126 Chilton Place
Clanton, AL 35045

Sheila Bolton
Executive Director

Administrative Assistants
Debra Darnell (ext. 221)
Amy Deavers (ext. 226)
Carol Hickox

Phone

(800) 949-5838
(205) 755-8000

Fax

(205) 755-0081

E-mails

sheila.bolton@chiro.alabama.gov
debra.darnell@chiro.alabama.gov
amy.deavers@chiro.alabama.gov